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8 GERHARD FLORIN, LAWRENCE F. PROBST, III,
DON A. MATTRICK, NANCY L. SMITH,
9 STEPHEN BENÉ, J. RUSSELL RUEFF, JR. and
ELECTRONIC ARTS, INC.,
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 WALTER HAMMOCK, derivatively on
behalf of Nominal Defendant ELECTRONIC
15 ARTS, INC.,

16 Plaintiff,

17 v.

18 M. RICHARD ASHER, BRUCE
McMILLAN, LEONARD S. COLEMAN,
19 TIMOTHY MOTT, WILLIAM J. BYRON,
ROBERT W. PITTMAN, JOEL LINZNER,
20 WARREN C. JENSON, GERHARD
FLORIN, LAWRENCE F. PROBST, III,
21 DON A. MATTRICK, NANCY L. SMITH,
STEPHEN BENÉ and J. RUSSELL RUEFF,
22 JR.

23 Defendants,

24 and

25 ELECTRONIC ARTS, INC.,

26 Nominal Defendant,
27
28

Case No. C-05-02009-MMC

**STIPULATION AND [PROPOSED]
ORDER RE INITIAL DISCLOSURE
DATES**

Date: September 16, 2005
Time: 9:00 a.m.
Dept: 7, 19th Floor
Judge: Maxine M. Chesney

Date Comp. Filed: May 16, 2005

1 **WHEREAS**, Rule 26 disclosures are due in this action on September 12, 2005 by order
2 of this Court; and

3 **WHEREAS**, plaintiffs in the instant action filed an unopposed motion to consolidate this
4 case with Sindona v. Asher, et al., Case No. C-05-02644 on July 29, 2005; and

5 **WHEREAS**, that motion is currently pending before this Court; and

6 **WHEREAS**, that motion also seeks the appointment of a lead counsel; and

7 **WHEREAS**, should the Court appoint lead counsel, lead counsel would need to meet
8 with other plaintiffs counsel to determine if an amended complaint need be filed,

9 **IT IS THEREFORE STIPULATED THAT**

10 1. The current deadline for Rule 26 Disclosures is vacated, and the parties' Rule 26
11 Disclosures shall not be due until sixty (60) days from the Court's resolution of plaintiff's
12 motion to consolidate.

13 Dated: August 8, 2005.

KEKER & VAN NEST, LLP

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15 By: /s/ Michael D. Celio

16 MICHAEL D. CELIO
17 Attorneys for Defendants
M. RICHARD ASHER, et al.

18 Dated: August 8, 2005.

MARY ALEXANDER ASSOCIATES

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21 By: /s/ Mary E. Alexander (by express permission)

22 MARY E. ALEXANDER
23 Attorneys for Plaintiff
WALTER HAMMOCK

24 **IT IS SO ORDERED.**

25 Dated: August 12, 2005

26 By: 

27 HON. MAXINE M. CHESNEY
28 UNITED STATES DISTRICT COURT